

117TH CONGRESS
1ST SESSION

H. R. 2046

To enhance the security of the United States and its allies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2021

Mrs. MILLER of West Virginia (for herself, Mr. ARRINGTON, and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Energy and Commerce, Financial Services, Oversight and Reform, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance the security of the United States and its allies,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy Security Co-
5 operation with Allied Partners in Europe Act of 2021”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It is the policy of the United States—

1 (1) to reduce the dependency of allies and part-
2 ners of the United States on Russian energy re-
3 sources, especially natural gas, in order for those
4 countries to achieve lasting and dependable energy
5 security;

6 (2) to condemn the Government of the Russian
7 Federation for, and to deter that government from,
8 using its energy resources as a geopolitical weapon
9 to coerce, intimidate, and influence other countries;

10 (3) to improve energy security in Europe by in-
11 creasing access to diverse, reliable, and affordable
12 energy;

13 (4) to promote energy security in Europe by
14 working with the European Union and other allies of
15 the United States to develop liberalized energy mar-
16 kets that provide diversified energy sources, sup-
17 pliers, and routes;

18 (5) to continue to strongly oppose the Nord
19 Stream 2 pipeline based on its detrimental effects on
20 the energy security of the European Union and the
21 economy of Ukraine and other countries in Central
22 Europe through which natural gas is transported;
23 and

1 (6) to support countries that are allies or part-
2 ners of the United States by expediting the export
3 of energy resources from the United States.

4 **SEC. 3. NORTH ATLANTIC TREATY ORGANIZATION.**

5 The President should direct the United States Per-
6 manent Representative on the Council of the North Atlan-
7 tic Treaty Organization (in this Act referred to as
8 “NATO”) to use the voice and influence of the United
9 States to encourage NATO member countries to work to-
10 gether to achieve energy security for those countries and
11 countries in Europe and Eurasia that are partners of
12 NATO.

13 **SEC. 4. TRANSATLANTIC ENERGY STRATEGY.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the United States and other NATO member
16 countries should explore ways to ensure that NATO mem-
17 ber countries diversify their energy supplies and routes in
18 order to enhance their energy security, including through
19 the development of a transatlantic energy strategy.

20 (b) TRANSATLANTIC ENERGY STRATEGY.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary of State, in coordination with the Adminis-
24 trator of the United States Agency for International
25 Development and the Secretary of Energy, shall sub-

1 mit to the appropriate congressional committees a
2 transatlantic energy strategy for the United
3 States—

4 (A) to enhance the energy security of
5 NATO member countries and countries that are
6 partners of NATO; and

7 (B) to increase exports of energy, energy
8 technologies, and energy development services
9 from the United States to such countries.

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES DEFINED.—In this subsection, the term “ap-
12 propriate congressional committees” means—

13 (A) the Committee on Foreign Relations of
14 the Senate; and

15 (B) the Committee on Foreign Affairs of
16 the House of Representatives.

17 **SEC. 5. EXPEDITED APPROVAL OF EXPORTATION OF NAT-**
18 **URAL GAS TO UNITED STATES ALLIES.**

19 (a) IN GENERAL.—Section 3(c) of the Natural Gas
20 Act (15 U.S.C. 717b(c)) is amended—

21 (1) by inserting “(1)” before “For purposes”;

22 (2) by striking “nation with which there is in
23 effect a free trade agreement requiring national
24 treatment for trade in natural gas” and inserting
25 “foreign country described in paragraph (2)”; and

1 (3) by adding at the end the following:

2 “(2) A foreign country described in this para-
3 graph is—

4 “(A) a nation with which there is in effect
5 a free trade agreement requiring national treat-
6 ment for trade in natural gas;

7 “(B) a member country of the North At-
8 lantic Treaty Organization;

9 “(C) subject to paragraph (3), Japan; and

10 “(D) any other foreign country if the Sec-
11 retary of Energy, in consultation with the Sec-
12 retary of State and Secretary of Defense, deter-
13 mines that exportation of natural gas to that
14 foreign country would promote the national se-
15 curity interests of the United States.

16 “(3) The exportation of natural gas to Japan
17 shall be deemed to be consistent with the public in-
18 terest pursuant to paragraph (1), and applications
19 for such exportation shall be granted without modi-
20 fication or delay under that paragraph, during only
21 such period as the Treaty of Mutual Cooperation
22 and Security, signed at Washington January 19,
23 1960, and entered into force June 23, 1960 (11
24 UST 1632; TIAS 4509), between the United States
25 and Japan, remains in effect.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to applications for the
3 authorization to export natural gas under section 3 of the
4 Natural Gas Act (15 U.S.C. 717b) that are pending on,
5 or filed on or after, the date of the enactment of this Act.

6 **SEC. 6. MANDATORY SANCTIONS WITH RESPECT TO THE**
7 **DEVELOPMENT OF PIPELINES IN THE RUS-**
8 **SIAN FEDERATION.**

9 (a) IN GENERAL.—The President shall impose five
10 or more of the sanctions described in section 235 of the
11 Countering America’s Adversaries Through Sanctions Act
12 (22 U.S.C. 9529) with respect to a person if the President
13 determines that the person knowingly, on or after the date
14 of the enactment of this Act, makes an investment de-
15 scribed in subsection (b) or sells, leases, or provides to
16 the Government of the Russian Federation, or to any enti-
17 ty owned or controlled by that government, for the con-
18 struction of Russian energy export pipelines, goods, serv-
19 ices, technology, information, or support described in sub-
20 section (c)—

21 (1) any of which has a fair market value of
22 \$1,000,000 or more; or

23 (2) that, during a 12-month period, have an ag-
24 gregate fair market value of \$5,000,000 or more.

1 (b) INVESTMENT DESCRIBED.—An investment de-
2 scribed in this subsection is any contribution of assets, in-
3 cluding a loan guarantee or any other transfer of value,
4 that directly and significantly contributes to the enhance-
5 ment of the ability of the Government of the Russian Fed-
6 eration, or any entity owned or controlled by that govern-
7 ment, to construct energy export pipelines.

8 (c) GOODS, SERVICES, TECHNOLOGY, INFORMATION,
9 OR SUPPORT DESCRIBED.—Goods, services, technology,
10 information, or support described in this subsection are
11 goods, services, technology, information, or support that
12 could directly and significantly facilitate the maintenance
13 or expansion of the construction, modernization, or repair
14 of energy export pipelines by the Government of the Rus-
15 sian Federation or any entity owned or controlled by that
16 government.

17 (d) PRESIDENTIAL WAIVER AUTHORITY AND NOTICE
18 TO CONGRESS.—

19 (1) PRESIDENTIAL WAIVER AUTHORITY.—The
20 President may waive the application of sanctions
21 under this section if the President determines that
22 it is in the national security interests of the United
23 States to waive such sanctions.

24 (2) NOTICE TO CONGRESS.—Not less than 15
25 days before taking action to waive the application of

1 sanctions under paragraph (1), the President shall
2 submit to the Committee on Foreign Relations of
3 the Senate and the Committee on Foreign Affairs of
4 the House of Representatives a notification of, and
5 written justification for, the action.

6 (e) EXCEPTION FOR IMPORTATION OF GOODS.—

7 (1) IN GENERAL.—The authority to impose
8 sanctions under subsection (a) shall not include the
9 authority to impose sanctions with respect to the im-
10 portation of goods.

11 (2) GOOD DEFINED.—In this subsection, the
12 term “good” means any article, natural or manmade
13 substance, material, supply or manufactured prod-
14 uct, including inspection and test equipment, and ex-
15 cluding technical data.

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